

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LATISHA CALLOWAY,

Plaintiff,

Case No. 15-10020

v.

COMMISSIONER OF SOCIAL SECURITY,

Hon. John Corbett O'Meara

Hon. Stephanie Dawkins Davis

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the court is Magistrate Judge Stephanie Dawkins Davis's report and recommendation, filed March 1, 2016. Plaintiff submitted timely objections¹ on March 16, 2016, to which Defendant responded on March 17, 2016.

The parties filed cross-motions for summary judgment on the administrative record in the case, which involves Plaintiff's application for Social Security disability benefits. Defendant denied Plaintiff's application for benefits, finding that she was not disabled and that she had the residual functional capacity to perform sedentary work.

The magistrate judge found that substantial evidence supports Defendant's decision. The magistrate judge recommends that the court deny Plaintiff's motion

¹ Although Defendant argues that Plaintiff's objections were untimely, the objections were not due until March 18, 2016. See Fed. R. Civ. P. 6(a)(1), (d).

for summary judgment and grant Defendant's motion for summary judgment.

With respect to reports and recommendations from magistrate judges, this court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). The court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." Id.

The court has reviewed Plaintiff's objections in light of the complete record. In so doing, the court agrees with Magistrate Judge Davis's assessment that the ALJ's decision is supported by substantial evidence.

Therefore, IT IS HEREBY ORDERED that Magistrate Judge Davis's report and recommendation is ADOPTED.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment is GRANTED and Plaintiff's motion for summary judgment is DENIED.

s/John Corbett O'Meara
United States District Judge

Date: March 23, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, March 23, 2016, using the ECF system.

s/William Barkholz
Case Manager